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064731.0254

PATENT APPLICATION  
Serial No. 09/923,862

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David G. Way  
Serial No.: 09/923,862  
Filing Date: August 6, 2001  
Group Art Unit: 2633  
Examiner: Agustin Bello  
Title: Tunable Channel Spacing For Wavelength Division  
Multiplexing (WDM) Transport System

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

CERTIFICATE OF MAILING  
BY EXPRESS MAIL

I hereby certify that this communication is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 C.F.R. § 1.10 on the date indicated below and is addressed to Mail Stop AF, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

*Willie Jiles*  
Willie Jiles

Date: July 29, 2005

Exp. Mail Receipt No. EV 322267128 US

**RESPONSE PURSUANT TO 37 C.F.R. § 1.111**

In response to the Office Action mailed May 17, 2005, Applicant respectfully requests the Examiner to reconsider the rejection of the claims in view of the comments set forth below.